

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Frank PORTUGAL
 SERIAL NO: 09/027,089
 FILING DATE: February 2, 1998
 FOR: METHOD FOR IDENTIFYING SPECIES OF SHIGELLA AND E. COLI USING OPERON SEQUENCE ANALYSIS

GAU: 1655
 EXAMINER: J. Souaya

AMENDMENT TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS
 WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

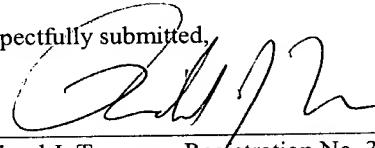
- No additional fee is required.
- Applicant(s) is/are entitled to small entity status.
- Additional documents filed herewith:

The fee has been calculated below:

CLAIMS	CLAIMS REMAINING		HIGHEST NO. PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	30	MINUS	20	10	x \$18 =	\$180.00
INDEPENDENT	5	MINUS	3	2	x \$84 =	\$168.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS						
						TOTAL OF ABOVE CALCULATIONS \$348.00
<input type="checkbox"/>						
<input checked="" type="checkbox"/> REDUCTION BY 50% FOR FILING BY SMALL ENTITY						\$174.00
<input type="checkbox"/> RECORDATION OF ASSIGNMENT						+ \$40 = \$0.00
						TOTAL \$174.00

- A check in the amount of \$174.00 is attached.
- Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed.
- If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.36 for any necessary extension of time may be charged to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


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 Attorney/Agent for Applicants

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 Date: November 5, 2002

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Frank PORTUGAL

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Examiner: J. Souaya

Group Art Unit: 1655

RECEIVED

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Title: METHOD FOR IDENTIFYING SPECIES OF SHIGELLA AND
E. COLI USING OPERON SEQUENCE ANALYSIS

AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

#29/h
Yuta
Nov 19, 02

Sir:

Please amend the above-referenced application as indicated below and consider the remarks which follow:

IN THE SPECIFICATION

Page 5, please delete the last paragraph which includes Figure 1 and insert the following paragraph:

--Figure 1 is an illustration of the ribosomal RNA operon on the E. coli chromosome. Each line marks the relative positions of one of the seven rrn operons found on the E. coli chromosome.

Figure 2 is an illustration of a ribosomal RNA operon.--

✓ Page 6, please delete the first paragraph that includes Figure 2.

IN THE CLAIMS:

Please amend claims 19, 26, 28 and 29 as follows:

19. (Twice Amended) A method for discriminating between species of Shigella and E. coli or for discriminating among species of Shigella and E. coli in a sample containing organisms of one or more taxonomic groups comprising:

a. selecting an oligonucleotide having a sequence from a DNA or RNA operon, wherein the sequence differs by one or more bases from at